

H 12318

CONGRESSIONAL RECORD — HOUSE

December 22, 1970

troduced by our colleague, the Honorable OMAR BURLESON, is to permit certain hospitals which have had difficulty in securing required nursing services to continue to participate in medicare for up to 5 years under specified conditions.

The Secretary of Health, Education, and Welfare would be empowered to grant waivers, no longer than a year at a time, on the requirement that the hospital have registered professional nurses on duty around the clock. The requirement could be waived only if:

First, the hospital has a registered nurse on the day shift and is making bona fide efforts to hire registered nurses for all shifts;

Second, the hospital is located in an isolated geographic area with no other medicare hospitals within a reasonable distance; and

Third, hospital services to medicare beneficiaries in the area would be seriously reduced if the hospital could not participate in medicare.

Enactment of this bill will assure that medicare beneficiaries living in remote areas will not be denied access to the only hospital care available in their communities. The committee is unanimous in recommending enactment of H.R. 19470.

Mr. BYRNES of Wisconsin. Mr. Speaker, I rise in support of H.R. 19470, a bill which would enable small hospitals in rural areas to continue qualifying as providers under medicare even if they are temporarily unable to obtain certain nursing services required by the law.

As we all know, Mr. Speaker, a number of hospitals throughout the country have great difficulty in finding and employing enough professional registered nurses. This is particularly true in sparsely populated areas.

Although the medicare law was designed to recognize hospitals with facilities, equipment, and personnel deemed adequate by nationally accepted standards, it also was designed to assure continuing availability of institutional care for medicare beneficiaries. Consequently, the Social Security Administration has adopted the practice of certifying certain institutions as "access" hospitals, which means that they can retain medicare status if they strive to upgrade staff and plant deficiencies which have been documented.

One of the most prevalent documented deficiencies has been in registered professional nursing staffs. And in order to deal with this particular problem, H.R. 19470 would authorize the Secretary of Health, Education, and Welfare to waive the requirement that an access hospital have registered professional nurses on duty 24 hours a day if the following conditions could be met:

First, The hospital would be required to have at least one registered nurse on the day shift and would have to show that it was making a continuing effort to fill the gap on other shifts.

Second, It would have to be situated in a remote area where hospitals as well as nurses were in short supply.

Third, Participating hospitals would have to agree to participate in medicare. Nonparticipation of this particular access hospital would "seriously reduce"

the availability of hospital services to medicare beneficiaries.

The proposed waiver could be granted by the Secretary only for a year at a time, and would expire at the end of 1975.

Mr. Speaker, the committee was unanimous in reporting this bill, and I urge the House to take affirmative action now.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

COUNTING OF CERTAIN FEDERAL EMPLOYMENT TOWARD RETIREMENT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2984) to permit service performed as a temporary employee of the field service of the Post Office Department to be counted toward civil service retirement, which was unanimously reported to the House by the Committee on Ways and Means.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.
The Clerk read the bill as follows:

S. 2984

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 115 of the Social Security Amendments of 1954 is hereby repealed.

Sec. 2. (a) The repeal of such section 115, made by the first section of this Act, shall not apply in the case of a person who, on the date of enactment of this Act, is receiving or is entitled to receive benefits under any retirement system established by the United States or any instrumentality thereof unless he requests, in writing, the office which administers his retirement system to apply it in his case.

(b) Any additional benefits payable pursuant to a request made under subsection (a) of this section shall commence on the first of the month following enactment of this Act.

Mr. BOGGS. Mr. Speaker, such equal treatment is now precluded by section 115 of the Social Security Amendments of 1954, which section S. 2984 would repeal.

Under existing law, some temporary, part-time and intermittent employment by the Federal Government is covered by the social security program, rather than by the civil service retirement program or other retirement programs for Federal employees. Certain of these positions were covered under social security by the Social Security Amendments of 1950; others were covered under the Social Security Amendments of 1954. Federal civilian employment covered under the 1950 amendments is creditable for civil service retirement purposes if the employee is later employed in a position subject to the civil service retirement system. Those covered under the 1954 amendments may not have such service later credited under civil service retirement simply because of the enactment of section 115 of

coverage under the 1954 amendments may never receive credit under a retirement system for Federal employees for this service covered by social security. Most of the employees so affected are those who receive temporary appointments in the field service of the Post Office Department, but section 115 applies also to a small number of other temporary employees.

An employee who has service which becomes creditable for retirement purposes as a result of this bill may, if he wishes, make a deposit to the Civil Service Retirement Fund equal to retirement deductions for the period, plus interest. If he failed to make this deposit, his retirement annuity would be reduced by 10 percent of the amount owed as deposit. This is the same treatment as is given to the temporary employees brought under social security by the 1950 amendments who later acquire coverage under the civil service retirement system.

Mr. Speaker, enactment of the bill would affect around 345,000 Post Office employees and would require additional appropriations to the civil service retirement and disability trust fund of an estimated \$21.1 million a year.

The bill has the approval of both the U.S. Civil Service Commission and the Department of Health, Education, and Welfare. Your committee is unanimous in recommending its enactment.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

DISREGARDING OF CASDI AND RAILROAD RETIREMENT INCOME IN DETERMINING NEED FOR PUBLIC ASSISTANCE

Mr. BOGGS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 19915) to make permanent the existing temporary provision for disregarding income of old-age, survivors, and disability insurance and railroad retirement recipients in determining their need for public assistance, which was unanimously reported to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read the bill as follows:

H.R. 19915

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective with respect to months after October 1970, section 1007 of the Social Security Amendments of 1969 is amended by striking out "and before November 1970".

Mr. BOGGS. Mr. Speaker, under section 1007, the States were required to take action to assure that recipients of public assistance under the federally aided adult public assistance programs—the old-age assistance, aid to the blind and aid to the permanently and totally disabled programs—who also received a social security benefit increase under the 1969 amendments would realize an in-